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less enough at best, is here rendered wholly useless by the fact that it does not state where the case is cited. The alphabetical arrangement scarcely goes beyond the first letter of plaintiffs' names, and the first table is followed by eight pages of additional cases cited, without anything to call attention to the fact that they are not all under one alphabet. It would require at least one more table of additional cases to include all the decisions on the subject, if that is what was intended. For example, only five of the fourteen cases given under *Lis Pendens*, in Kinney's Digest of the Supreme Court Decisions, appear in these lists. The index is alphabetical only as to the principal words, and this makes its fulness its worst feature. Thus, under *Lis Pendens* is a jumble of references, five pages in length; the references to "Territorial scope of" are scattered through those five pages in three different places.

There is also an appendix of thirty-seven pages containing the Ordinances of Lord Bacon, 101 in number. These are added, because No. 12 relates to *Lis Pendens*, and they "will be of interest to the profession for ready reference."

For giving a clear idea of *Lis Pendens* the book is scarcely equal to the nine sections in Pomeroy's Equity Jurisprudence, and it is unsatisfactory as a digest, because it does not contain all the cases, and what it does contain cannot be found.

W. H. C.

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THE LAW OF PARTNERSHIP. By Clement Bates. Chicago: T. H. Flood & Co. In 2 volumes. 8vo. cxciii and 1,234 pages.

Mr. Bates states very truly in his preface that "the American law [of partnership] not only has several new topics, but in many respects has developed along lines diverging from the English, and in a few respects quite opposite." The book before us aims especially to co-ordinate the American cases and formulate the principles underlying them, though English cases are also fully treated, particularly when they have affected American law.

Of the great labor and care spent in preparation there can be no question. All the decisions have been considered, and the citations of authorities are exceptionally full,—indeed, as a storehouse of cases the book leaves nothing to be desired.

The author's treatment of the subject is also in the main very satisfactory, and any exceptions to this are perhaps rather due to the incomplete state of the law of partnership than to any defect in presenting it. In a chapter entitled "The Firm as an Entity" it is truly said "there are certain parts of the law difficult to explain except upon the theory that a partnership is an entity," and a more frequent recognition of this in other chapters would have been well; for example, can the fact that a judgment against an adult partner, his minor co-partner having pleaded infancy, may be satisfied by execution against the firm property be explained on any other theory than that the judgment is regarded as really against the firm as an entity?

The rights of firm creditors to be paid out of the firm property in preference to separate creditors is treated by the author as wholly dependent on the equity of the individual partners to have the assets so applied. Such an equity the partners undoubtedly have, but whether the rights of the creditors are dependent on this may well be doubted. How and why firm creditors should be "subrogated" to the equity of the individual partners is by no means clear, and an adoption of this view seems to lead to the very undesirable result actually reached in

Pennsylvania, that if all the members of a firm sell or mortgage their respective interests the firm creditors lose their priority in the distribution of the firm assets, because the partners having parted with their interests have no longer any equity to have the firm property applied to pay the firm creditors.

The true view seems to be, that a court of equity or of bankruptcy, regarding the firm as an entity distinct from its partners, applies its property to the payment of its debts, and treats the fictitious person, the firm, in the same way that a real person would be treated. Of course, therefore, only what remains after the firm creditors are satisfied can go to the partners or their separate creditors.

The typography and general appearance of the book are exceptionally good, and the less important matter is put in smaller type, so that a rapid examination of general principles is possible. It is not too much to say in conclusion, that for an American lawyer the book will be found the most useful treatise on the law of partnership. S. W.

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A MANUAL OF BUSINESS CORPORATIONS. By George F. Tucker. Boston: George B. Reed. Large 12mo. xviii and 285 pages.

This little manual does not attempt to cover the same ground as larger works on business corporations. It is a book of Massachusetts law, and relates chiefly to mercantile and manufacturing corporations, but some slight reference is made to railroad and insurance companies, and charitable societies. Little or no discussion of principles or theories is to be found, and conciseness is everywhere sought. The object is to furnish a hand-book in which may be found the statutory provisions in regard to corporations, the forms necessary for their formation, management, and winding up, and a brief statement of the points decided in the Supreme Courts of the United States and of Massachusetts, relating to the subject treated. Occasional reference is also made to cases in other jurisdictions. It makes a useful and time-saving volume. Reference to it will frequently take the place of a prolonged examination of statutes and cases scattered through many volumes.

S. W.

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#### BOOKS RECEIVED.

A CATALOGUE OF LAW WORKS PUBLISHED BY STEVENS & SONS: 119 Chancery Lane, London, W.C. 1888.

THE LAW OF SALES OF PERSONAL PROPERTY. By Nathan Newmark. Bancroft-Whitney Co.: San Francisco. 1887.

THE MERCANTILE LAW OF ENGLAND AND THE UNITED STATES. By John William Smith, with Notes by Carter P. Pomeroy. Bancroft-Whitney Co.: San Francisco. 1887.

SHORTT ON INFORMATIONS [Criminal and Quo Warranto], MANDAMUS, AND PROHIBITION. American notes by Franklin Fiske Heard. Boston: Chas. H. Edson & Co. 1888.

ESSENTIALS OF THE LAW. Vol. III. Comprising the essential parts of Pollock on Torts, Williams on Real Property, and Best on Evidence. By Marshall D. Ewell. Boston: Charles C. Soule. 1888.

THE CONFLICT OF JUDICIAL DECISIONS. By William H. Bailey. Baltimore: M. Curlander. 1888.

A COMPENDIUM OF THE LAW OF TORTS, specially adapted for the use of students. By Hugh Fraser. London: Reeves & Turner.